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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,507	06/05/2001	Robert Stanley Arling	10010130-1	5883

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

AL HASHEMI, SANA A

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/874,507

Applicant(s)

ARLING, ROBERT STANLEY

Examiner

Sana Al-Hashemi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Status: 1- 3, and 5-18 are rejected, claim 4 is canceled.

Applicant's arguments filed 1/29/2004 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 3, and 5-18 remain rejected under 35 U.S.C. 102(e) as being anticipated by Bosch (US Patent No. 6,519,601).

1. Regarding Claims 1, 8, 9, 16, 17, and 18, Bosch discloses a method of generating a medical¹ report, comprising:

displaying a plurality of pre-chosen findings comprising a plurality of medical conditions that are associated with a particular portion of sub-portion of a living body (see column 38, lines

¹ Examiner did not give the term “medical” any patentability weight since it is regarded as an intended use

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39-55, Bosch), and a separate medical report simultaneously on an electronic display, the medical report comprising a summary section (see Fig. 14, Bosch);

selecting a pre-chosen finding based on a diagnosis of the particular portion or sub-portion of the body as a user selected finding (see Fig. 14, Bosch)

automatically copying electronically said user selected finding from the displayed pre-chosen findings into the summary section of the medical report upon an indication by a user that it is desired that said user-selected finding be added to the summary section of the medical report (see column 5, lines 7-54², column 28, lines 49-53, column 38, lines 56-67, Bosch).

2. Regarding Claims 2, and 10, Bosch discloses a method wherein the medical report further comprises a plurality of group sections, and automatically copying electronically each pre-chosen finding into a group section of the plurality of group sections which corresponds to the pre-chosen finding upon an indication by a user that it is desired that said user-selected finding be added to the summary section of the medical report (see Fig. 17, column 38, lines 56-67, Bosch).

3. Regarding Claims 3, 6, 11, and 14, Bosch discloses a method further comprising:

receiving for a second time a selection of said respective pre-chosen finding from the displayed pre-chosen findings, the second selection of said respective pre-chosen finding being previously selected and copied into the summary section of the medical report (see Fig. 18, Bosch); and

automatically removing electronically the second selected respective pre-chosen finding from the summary section of the medical report upon an indication by a user that it is desired that

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said user-selected finding be added to the summary section of the medical report (see Fig. 18, Cancel button, Bosch).

4. Regarding Claims 5, and 13, the combination of Bosch and Lancelot discloses a method further comprising

displaying on the electronic display an indicator next to the selected pre-chosen finding, separate from the medical report, so that specific information regarding the patient can be identified either from the display of the pre-chosen finding and identified in further detail in the medical report (see Fig. 20A, step 1, Bosch).

5. Regarding Claims 7, and 15, Bosch discloses a method wherein the copying further comprises converting the selected pre-chosen finding into a more descriptive form before copying into the summary section (see Fig. 20B, Bosch).

6. Regarding Claim 12, Bosch discloses a method further comprising selecting the pre-chosen findings from a list of available findings (see Fig. 20A step RI Bosch).

Response to Amendment

In the response filed January 27, 2004 (paper #10), Applicant has amended claims 1-3, 8, 9, 11, and 16-18 and has presented arguments that are directed to the newly added provisions in these claims. The examiner maintains that Bosch (US Patent No. 6,519,601) still reads on and anticipates under § 102. all of the claimed subject matter, including the newly added provisions as set forth above in the body of the rejection.

² when any of the tables updated the system will update the report and make it accessible to the user which

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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Points of Contact


Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (703) 305-4881.

The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label

"PROPOSED" or "DRAFT". Hand-delivered response should be brought to

Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
February 18, 2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
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